

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI,
INC., OPENAI LP, OPENAI GP, LLC,
OPENAI, LLC, OPENAI OPCO LLC,
OPENAI GLOBAL LLC, OAI
CORPORATION, LLC, OPENAI
HOLDINGS, LLC,

Defendants.

Civil Action No. 1:23-cv-11195-SHS

Hon. Sidney H. Stein

NOTICE OF OBJECTION TO DISCOVERY ORDERS AT ECF 352-53

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, accompanying exhibits, and all pleadings and proceedings referenced therein, Defendant OpenAI¹ moves this Court, before the Honorable Sidney H. Stein in Courtroom 23A of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007, for an order pursuant to Federal Rule of Civil Procedure 72(a) setting aside the discovery orders at ECF 352-53 and directing Plaintiff The New York Times Company to produce the discovery requested herein, and any such other further relief as this Court may deem just and proper.

¹ “OpenAI” refers collectively to Defendants OpenAI, Inc.; OpenAI LP; OpenAI GP, LLC; OpenAI, LLC; OpenAI OpCo, LLC; OpenAI Global LLC; OpenAI Corporation LLC; and OpenAI Holdings, LLC.

KEKER, VAN NEST & PETERS LLP

Dated: December 23, 2024

By: /s/ Andrew F. Dawson
ROBERT A. VAN NEST (*pro hac vice*)
R. JAMES SLAUGHTER (*pro hac vice*)
PAVEN MALHOTRA - # 4409397
MICHELLE S. YBARRA (*pro hac vice*)
NICHOLAS S. GOLDBERG (*pro hac vice*)
THOMAS E. GORMAN (*pro hac vice*)
ANDREW F. DAWSON (*pro hac vice*)
KATIE LYNN JOYCE (*pro hac vice*)
SARAH SALOMON (*pro hac vice*)
633 Battery Street
San Francisco, CA 94111-1809
Telephone: 415 391 5400
Facsimile: 415 397 7188
rvannest@keker.com
rslaughter@keker.com
pmalhotra@keker.com
mybarra@keker.com
ngoldberg@keker.com
tgorman@keker.com
adawson@keker.com
kjoyce@keker.com
ssalomon@keker.com

Attorneys for Defendants OPENAI, INC.,
OPENAI LP, OPENAI GP, LLC, OPENAI,
LLC, OPENAI OPCO LLC, OPENAI
GLOBAL LLC, OAI CORPORATION,
LLC, OPENAI HOLDINGS, LLC

Dated: December 23, 2024

LATHAM & WATKINS LLP

By: /s/ Elana Nightingale Dawson

Andrew M. Gass (*pro hac vice*)

andrew.gass@lw.com

Joseph R. Wetzel

joseph.wetzel@lw.com

505 Montgomery Street, Suite 2000

San Francisco, CA 94111

Telephone: 415.391.0600

Sarang V. Damle

sy.damle@lw.com

Elana Nightingale Dawson (*pro hac vice*)

elana.nightingaledawson@law.com

Michael David (*pro hac vice*)

michael.david@law.com

555 Eleventh Street, NW, Suite 1000

Washington, D.C. 20004

Telephone: 202.637.2200

Allison L. Stillman

alli.stillman@lw.com

Rachel R. Blitzer

rachel.blitzer@lw.com

Herman Yue

herman.yue@lw.com

Luke A. Budiardjo

luke.budiardjo@lw.com

1271 Avenue of the Americas

New York, NY 10020

Telephone: 212.751.4864

Attorneys for OpenAI Defendants

Dated: December 23, 2024

MORRISON & FOERSTER LLP

By: /s/ Rose S. Lee
Joseph C. Gratz (*pro hac vice*)
jgratz@mofo.com
Vera Ranieri (*pro hac vice*)
vranieri@mofo.com
425 Market Street
San Francisco, CA 94105-2482
Telephone: 415.268.7000

Rose S. Lee (*pro hac vice*)
rose.lee@mofo.com
707 Wilshire Boulevard, Suite 6000
Los Angeles, California 90017-3543
Telephone: 213.892.5200

Eric K. Nikolaides
enikolaides@mofo.com
Emily C. Wood
ewood@mofo.com
250 West 55th Street
New York, NY 10019-9601
Telephone: 212.468.8000

Carolyn Homer (*pro hac vice*)
enikolaides@mofo.com
2100 L Street, NW Suite 900
Washington, D.C. 20038
Telephone: 202.887.1500

Attorneys for OpenAI Defendants